

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

---

ANDERSON LEE FERNANDERS,

Plaintiff,

v.

Case No. 12-11752

MICHIGAN DEPARTMENT OF MILITARY  
AND VETERANS AFFAIRS and MICHIGAN  
YOUTH CHALLENGE ACADEMY,

Defendants.

---

**ORDER DENYING PLAINTIFF'S APPLICATION  
FOR INTERLOCUTORY APPEAL AS MOOT**

Plaintiff moved for relief from the court's June 20, 2013 order denying Plaintiff leave to amend his complaint; the court denied the motion. Plaintiff then filed an application for leave to bring an interlocutory appeal of this court's order denying his motion for relief. Subsequently, Defendants' motion for summary judgment was granted with respect to Plaintiff's final remaining claim, Title VII mixed-motive race discrimination. As such, the matter is ripe for immediate appeal in its entirety and Plaintiff's application for interlocutory appeal is now moot. Accordingly,

IT IS ORDERED that Plaintiff's application for interlocutory appeal, [Dkt. # 45], is denied as moot.

s/Robert H. Cleland  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: October 29, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 29, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner  
Case Manager and Deputy Clerk  
(313) 234-5522